

37

UNITED STATES DISTRICT COURT

for the

EASTERN District of MICHIGAN

Southern Division

RAY SMITH FORD,
BROTHER RAY,

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

NBC UNIVERSAL,
FOX CORPORATION,
CBS CORPORATION,
PUBLIC BROADCASTING SERVICE (PBS)

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case: 2:20-cv-11736
Judge: Parker, Linda V.
MJ: Grand, David R.
Filed: 06-19-2020 At 01:02 PM
CMP RAY SMITH FORD ET AL V NBC UNIVERSAL ET AL (SS)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	RAY SMITH FORD aka BROTHER RAY,
Street Address	3766 IROQUOIS
City and County	DETROIT, WAYNE COUNTY
State and Zip Code	48214
Telephone Number	3132085338
E-mail Address	ray48207@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	FOX CORPORATION
Job or Title (<i>if known</i>)	
Street Address	1211 AVENUE OF THE AMERICAS
City and County	NEW YORK
State and Zip Code	NEW YORK 10036
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	CBS CORPORATION
Job or Title (<i>if known</i>)	
Street Address	530 W. 57 TH STREET
City and County	NEW YORK
State and Zip Code	NEW YORK 10019
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	AMERICAN BROADCASTING COMPANY (ABC)
Job or Title (<i>if known</i>)	
Street Address	77 WEST 66 TH STREET
City and County	NEW YORK CITY
State and Zip Code	NEW YORK 10023
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	NBC UNIVERSAL
Job or Title (<i>if known</i>)	
Street Address	30 ROCKEFELLER PLAZA
City and County	NEW YORK
State and Zip Code	NEW YORK 10112
Telephone Number	SEE ATTACHED FOR ADDITIONAL INFORMATION

E-mail Address *(if known)***II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

N/A

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* RAY SMITH FORD aka BROTHER RAY, is a citizen of the State of *(name)* MICHIGAN

b. If the plaintiff is a corporation

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)* and has its principal place of business in the State of *(name)*

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of
 the State of (name) _____. Or is a citizen of
 (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) NBC UNIVERSAL _____, is incorporated under
 the laws of the State of (name) NEW YORK _____, and has its
 principal place of business in the State of (name) NEW YORK _____.
 Or is incorporated under the laws of (foreign nation) _____,
 and has its principal place of business in (name) NEW YORK _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

The defendants action has caused irreparable damage to the plaintiffs reputation and legal status as an American Citizen causing extreme prejudice and racism based on the color of plaintiffs skin complexion. The defendants continued public broadcasting during live news segments describing and making references towards plaintiff and the likes of plaintiff as Blacks, Black People, Black Americans is a public nuisance and defamation

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

PBS

Plaintiff states that on or about June 3, 2020 during the PBS News Hour, the station endorsed and reported on a study by Monmouth University, that in December 2014 33%, July 2016 34% and June 2020 54% of “Americans who say police are more likely to use excessive force against Black People was discriminatory, offensive, degrading and defamation of specific Americans character by deluding to the words to describe Americans as black people. As a result of the prejudicial statement, plaintiff has suffered, impairment to reputation standing in the community, personal humiliation, shame, and disgrace.

NBC UNIVERSAL:

Story reported on or about June 8 2020, Story reported on June 8, 2020, reflecting on protestors who are recognized as Blacks and Black People, terms that delude to slavery. Detroit is united against racism — but divided on protesting tactics.” As Detroit’s black community copes with the death of George Floyd, residents are split over how to respond — and the role of white suburban protesters.” The reporting is racial bias that negatively impacts the plaintiff’s status as an American Citizen

CBS CORPORATION:

On or about June 17, 2020 CBS Morning Show Anthony Mason stated, “Black people are more likely to be shot by police than white people.’ The use of the word Black People to describe Americans is a public nuisance and defamation of plaintiffs’ character. On June 11th the CBS local Ohio broadcasted prejudicial statements concerning Blacks, Coloreds, Black Americans made by State Senator Steve Huffman following his comments that were made during a hearing for a resolution to declare racism a public health crisis. Huffman, who is also a Dayton-area emergency room physician, caused controversy after he questioned Angela Dawson, executive director of the Ohio Commission of Minority Health, on Tuesday over why the COVID-19 rates for black Ohioans were higher than other populations. “Could it just be that African Americans – or the colored population — do not wash their hands as well as other groups

ABC CORPORATION:

On or about June 11 2020, The ABC News legal correspondent detailed some of alleged remarks about Blacks, Black People, repeating HuffPost’s report that Barbara Fedida, who is also the head of diversity and inclusion, “reference[d] Robin Roberts, who is one of the most respected and beloved journalists in our country, as ‘picking cotton.’ Barbara Fedida, the ABC News senior vice president of talent and business affairs, detailing a history of racist behavior toward Black on-air talent and staffers. Hostin, who identifies as Afro-Latina, was one of her targets with Fedida allegedly referring to the attorney as “low rent.” Walt Disney Co. suspended top ABC News executive Barbara Fedida and launched an investigation into her behavior after allegations of racist remarks and other questionable practices Barbara Fedida, a powerful ABC News executive, has an extensive history of insensitive comments. She’s now been placed on administrative leave while the network investigates. Systemic racism touches everything and everyone in our society, regardless of social stature.

FOX CORPORATION:

On or about June 8, 2020, Fox News host Tucker Carlson reported live and faced intense backlash Monday night after he argued that the nationwide unrest over racism and police brutality sparked by the death of George Floyd “is definitely not about black lives.” Carlson’s comments came during a fiery monologue that kicked off his prime-time show Monday, following another day of large demonstrations in the wake of last month’s fatal incident in which Floyd, an unarmed black man, died after a white police officer in Minneapolis knelt on his neck for more than eight minutes. For roughly 25 minutes, Carlson criticized the Black Lives Matter movement and growing calls for cities to defund police departments or completely get rid of them. Quoting Tucker, “This may be a lot of things, this moment we’re living through, but it is definitely not about black lives,” Carlson said. “Remember that when they come for you, and at this rate, they will. “Anyone who has ever been subjected to the rage of the mob knows the feeling,” he continued. “It’s like being swarmed by hornets. You cannot think clearly. And the temptation is to panic. But you can’t panic. You’ve got to keep your head and tell the truth. ... If you show weakness of any kind, they will crush you.”

PUBLIC NUISANCE CLAIM I

The defendants who are trusted with reporting ethical, factual non-biased public news broadcasting actions has resulted in a public nuisance when they continue to disgrace, degrade, de-humanize plaintiff and the likes of plaintiff characterizing the plaintiff and the likes of plaintiff as Blacks, Black People and Black Americans as though plaintiff and the likes of plaintiff sharing the same skin complexion are un-American non-Americans. The continued bad acts by the defendants, violates plaintiffs Civil Rights as the plaintiff has suffered discrimination, hardships, hard ache, pain & suffering; mental anguish; confusion and exclusion in the entire American experience. The defendant’s continued descriptions of plaintiff and the likes of plaintiff as Blacks, Black People, and Black Americans are offensive nick names used to describe the people who were slaves during the time of slavery.

DEFAMATION CLAIM II

The defendants who are trusted with reporting ethical, factual non-biased public news broadcasting actions has resulted in defamation when they continue to disgrace, degrade, de-humanize plaintiff and the likes of plaintiff characterizing the plaintiff and the likes of plaintiff as Blacks, Black People and Black Americans as though plaintiff and the likes of plaintiff sharing the same skin complexion are un-American non-Americans. The continued bad acts by the defendants, violates plaintiffs Civil Rights as the plaintiff has suffered discrimination, hardships, headache, pain & suffering; mental anguish; confusion and exclusion in the entire American experience. The defendants continued descriptions of plaintiff and the likes of plaintiff as Blacks, Black People, and Black Americans are offensive nick names used to describe the people who were slaves during the time of slavery.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

That plaintiff avers that the defendant's bad actions and discriminatory practices has caused serious irreparable harm to the plaintiffs' free national status as an American Citizen and not a second-class citizen or slave. The defendants continued to describe American Citizens of a dark complexion as Blacks, Black People, Black Americans during public news broadcasting is public nuisance and a violation of plaintiffs' civil rights. Plaintiff further states that the offensive marks Blacks, Black People and Black Americans are marks that describe slaves during the time of slavery. Plaintiff is currently suffering from mental anguish, experiencing a state of confusion, pain suffering from racial discrimination and prejudice at the same time excluded from the full benefits of the American experience due to racial quotas and affirmative action status that limits inclusion into the full benefits of a free national American Citizen. The plaintiff ask that this court order the defendants cease to use the offense marks and titles describing Americans of dark or olive complexion as Backs, Black People, Black Americans and African Americans during their live news reporting and segments. Plaintiff further states that the court order the defendants refer to people of his likeness (olive hue dark skin complexion) be referred to as American Citizens. Plaintiff further seeks permanent injunction and punitive damages in the amount of \$18,000,000.00 for pain and suffering irreparable damages.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

06/19/2020

Signature of Plaintiff

Printed Name of Plaintiff

Ray Smith Ford aka Brother Ray

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

Telephone Number

E-mail Address

1 Defendants

2 FOX CORPORATION
3 1211 AVENUE OF THE AMERICAS
4 NEW YORK NEW YORK 10036

5 CBS CORPORATION
6 51 W 52nd St,
7 New York, NY 10019,

8 NBC UNIVERSAL
9 30 Rockefeller Plaza
10 New York, NY 10112

11 American Broadcasting Company (ABC)
12 77 West 66th Street
13 New York City, NY 10023

14 Public Broadcasting Service (PBS)
15 2100 Crystal Drive
16 Arlington, VA 22202

1 UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF MICHIGAN

3 RAY SMITH FORD Pro-Se
4 BROTHER RAY,

5 Plaintiffs,

6 vs.

7
8 NBC UNIVERSAL,
9 FOX CORPORATION,
10 CBS CORPORATION,
11 PUBLIC BROADCASTING SERVICE
12 (PBS),
13 AMERICAN BROADCASTING
14 COMPANY (ABC),

15 Defendants

) Case No.

)

) CAUSE OF ACTION FOR

) PERMANENT INJUNCTION, AND

) PUNITIVE DAMAGES IN THE AMOUNT
OF \$18,000,000.00

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16 PLAINTIFFS BRIEF AND MEMORANDUM
17 IN SUPPORT OF CIVIL ACTION COMPLAINT

18 COMES NOW, the Plaintiff acting in pro-se capacity petitions this
19 Honorable Court on motion for Civil Judgment injunction and punitive damages
20 against defendants for defamation of character and public nuisance violations.
21 During public news broadcasting, the defendants continued actions to describe
22 American Citizens as Blacks; Black People; Colored People or Black Americans is
23 a public nuisance and defamation of character to describe plaintiff and the likes
24 of plaintiff who is an American Citizen, not Black People or Blacks or Black
25 American. The proper and constitutional legal description to describe plaintiff
26 and the likes of plaintiff of olive hue complexion is an American Citizen
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I. ARTICLE III COURTS JURISDICTION

The United States Constitution, in Article III, § 2, gives the Congress the power to permit federal courts to hear diversity cases through legislation authorizing such jurisdiction. The provision was included because the Framers of the Constitution were concerned that when a case is filed in one state, and it involves parties from that state and another state, the state court might be biased toward the party from that state. Congress first exercised that power and granted federal trial circuit courts diversity jurisdiction in the Judiciary Act of 1789. Diversity jurisdiction is currently codified at 28 U.S.C. § 1332. To establish Article III standing, plaintiffs' suit is brought in the United States District Court for the Eastern District for Michigan on constitutional civil rights established laws under the 13th and 14th Constitutional Amendments hereby invokes this court's jurisdiction pursuant to diversity of citizenship. In the law of the United States, **diversity jurisdiction** is a form of subject-matter Jurisdiction in civil procedure in which a United States district court in the federal judiciary has the power to hear a civil case when the amount in controversy exceeds \$75,000 and where the persons that are parties are "diverse" in citizenship or state of incorporation (for corporations being legal persons), which generally indicates that they differ in state and/or nationality. The United States Constitution, in Article III, § 2, gives the Congress the power to permit federal courts to hear diversity cases through legislation authorizing such jurisdiction. The provision was included because the Framers of the

1 Constitution were concerned that when a case is filed in one state, and it
2 involves parties from that state and another state, the state court might be
3 biased toward the party from that state. Congress first exercised that power and
4 granted federal trial circuit courts diversity jurisdiction in the Judiciary Act of
5 1789. Diversity jurisdiction is currently codified at 28 U.S.C. § 1332
6

7 As early as *Marbury v. Madison*, Chief Justice Marshall stated that "questions in
8 their nature political, or which are, by the constitution and laws, submitted to
9 the executive, can never be made in this court." 5 U.S. (1 Cranch) 137, 170
10 (1803). These questions, Marshall wrote, "respect the nation, not individual
11 rights" *Id.* at 166. There, in the very case that establishes the power of
12 judicial review, the political question doctrine received its judicial imprimatur.
13

14 **Marbury v. Madison**, legal case in which, on February 24, 1803, the U.S.
15 Supreme Court first declared an act of Congress unconstitutional, thus
16 establishing the doctrine of judicial review. The court's opinion, written by Chief
17 Justice John Marshall, is considered one of the foundations of U.S. constitutional
18 law. Plaintiff avers that during public news broadcasting, the defendants
19 continued use of the offensive terms Blacks; Black Americans; Black People to
20 describe American Nationals, violates plaintiffs Constitutional Civil Rights when
21 the terms were abolished in 1865 under the 13th Amendment that ended slavery
22 following the 14th Amendment equal protection clause.
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II. ARGUMENT

Plaintiff argues that the defendants use of the offensive obscenity names such as Blacks, Black People, and Black Americans instead of American Citizens covering historical events such as Black Lives Matter protests that speeded across the US and the world following the death of George Floyd. George Perry Floyd Jr. (October 14, 1973 – May 25, 2020) was an African American Citizen killed by police during an arrest in Minneapolis, Minnesota. Protests in response to his death, and more broadly to police violence against American Citizens publicly known as black people, quickly spread across the United States and internationally. Plaintiff avers that the obscenity words Blacks are referenced in the United States Supreme Court case, *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393 (1857), was a landmark decision of the US Supreme Court in which the Court held that the US Constitution was not meant to include American citizenship for black people, regardless of whether they were enslaved or free, and so the rights and privileges that the Constitution confers upon American citizens could not apply to them. Plaintiff, an American Citizen residing in Detroit Michigan brought this suit in federal Eastern District of Michigan for injunctive relief and punitive damages on public nuisance and defamation grounds against the defendants who are trusted Broadcasting Companies responsible for reporting ethical information to the public. The defendant's negligent actions describing distinctive Americans as Black People, Black Americans or Blacks covering stories on Coronavirus COVID-19 pandemic and racial reform

1 protestors is a public nuisance, negligent news reporting and defamation of
2 plaintiffs' character in violation of plaintiffs' civil rights to be recognized as an
3 American Citizen. The decision was made in the case of Dred Scott, an enslaved
4 black man whose owners had taken him from Missouri, which was a slave-
5 holding state, into the Missouri Territory, most of which had been designated
6 "free" territory by the Missouri Compromise of 1820. When his owners later
7 brought him back to Missouri, Scott sued in court for his freedom and claimed
8 that because he had been taken into "free" US territory, he had automatically
9 been freed and was legally no longer a slave. Scott sued first in Missouri state
10 court, which ruled that he was still a slave under its law. He then sued in US
11 federal court, which ruled against him by deciding that it had to apply Missouri
12 law to the case. He then appealed to the US Supreme Court. In March 1857, the
13 Supreme Court issued a 7-2 decision against Dred Scott. In an opinion written
14 by Chief Justice Roger Taney, the Court ruled that black people "are not
15 included, and were not intended to be included, under the word 'citizens' in the
16 Constitution, and can therefore claim none of the rights and privileges which
17 that instrument provides for and secures to citizens of the United States." Taney
18 supported his ruling with an extended survey of American state and local laws
19 from the time of the Constitution's drafting in 1787 that purported to show that
20 a "perpetual and impassable barrier was intended to be erected between the
21 white race and the one which they had reduced to slavery." Because the Court
22 ruled that Scott was not an American citizen, any federal lawsuit that he filed
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1 automatically failed because he could never establish the "diversity of
2 citizenship" that Article III of the US Constitution requires for a US federal court
3 to be able to exercise jurisdiction over a case. After ruling on those issues
4 surrounding Scott, Taney continued further and struck down the entire Missouri
5 Compromise as a limitation on slavery that exceeded the US Congress's
6 constitutional powers. An **obscenity** is an offensive word or phrase. ... They are
7 obscenities, which are also known as swear words. You can also say that
8 anything offensive or inappropriate is an obscenity. This can include
9 things that are not only dirty, but things that are offensive in other ways. Some
10 definitions of the word Black is associated with fear, mystery, death, evil,
11 aggression and rebellion. Black is required for all other colors to have depth and
12 variation of hue. The black color is the absence of color which is inappropriate to
13 describe a member of humanity. Plaintiff avers that as an example, had the
14 defendants public broadcasting reported that the police are killing unarmed
15 Americans as opposed to the police are killing Black People or Black Americans,
16 there would be a difference in society's reflection on so-called Black People.
17 Plaintiff argues that defendants must not continue to refer to American Citizens
18 as Blacks, Black Americans or Black People which is an obscenity.
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III. LEGAL STANDING

Under the federal notice pleading standards, a plaintiff's "factual allegations must be enough to raise a right to relief above the speculative level." *Twombly*, 550 U.S. at 555. Put differently, a "complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678, 129 S. Ct. 1937, 1949, 172 L.Ed. 2d 868 (2009) (quoting *Twombly*, 550 U.S. at 570). In determining the sufficiency of a complaint under the plausibility standard, courts must "accept all well-pleaded facts as true and draw reasonable inferences in the plaintiffs' favor. a plaintiff need not allege the prima facie elements of a discrimination claim because it is an evidentiary standard, not a pleading requirement. See *Swierkiewicz v. Sorema*, 534 U.S. 506, 510, 122 S.Ct. 992, 152 L.Ed.2d 1 (2002). see also *Twombly*, 550 U.S. at 569 ("[W]e does not require heightened fact pleading of specifics, but only enough facts to state a claim to relief that is plausible on its face."). Indeed, a "complaint alleging [race] discrimination need only aver that the employer instituted a (specified) adverse employment action against the plaintiff based on [his race]."

A. PBS NEWS HOUR

Plaintiff states that on or about June 3, 2020 during the PBS News Hour, the station endorsed and reported on a study by Monmouth University, that in December 2014 33%, July 2016 34% and June 2020 54% of "Americans who say police are more likely to use excessive force against Black People was

1 discriminatory, offensive, degrading and defamation of specific Americans
2 character by deluding to the words to describe Americans as black people. **PBS**
3 is a private, nonprofit media enterprise **owned by** its member public television
4 stations. **PBS** distributes programming to approximately 350 locally controlled
5 and operated public television stations across the country and is funded
6 principally by these member stations, distribution and underwriting.
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10 B. NBC UNIVERSAL

11 Story reported on June 8, 2020, reflecting on protestors who are recognized as
12 Blacks and Black People, terms that delude to slavery. Detroit is united against
13 racism — but divided on protesting tactics.” As Detroit's black community copes
14 with the death of George Floyd, residents are split over how to respond — and
15 the role of white suburban protesters.” The reporting is racial bias that
16 negatively impacts the plaintiff's status as an American Citizen.
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20 C. CBS CORPORATION

21 On June 17, 2020 CBS Morning Show Anthony Mason stated, “Black people are
22 more likely to be shot by police than white people.’ The use of the word Black
23 People to describe Americans is a public nuisance and defamation of plaintiffs’
24 character. On June 11th the CBS local Ohio broadcasted prejudicial statements
25 concerning Blacks, Coloreds, Black Americans made by State Senator Steve
26 Huffman following his comments that were made during a hearing for a
27
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1 resolution to declare racism a public health crisis. Huffman, who is also a
2 Dayton-area emergency room physician, caused controversy after he questioned
3 Angela Dawson, executive director of the Ohio Commission of Minority Health,
4 on Tuesday over why the COVID-19 rates for black Ohioans were higher than
5 other populations. "Could it just be that African Americans – or the colored
6 population — do not wash their hands as well as other groups? Or wear masks?
7 Or do not socially distance themselves?" Huffman asked during Senate
8 testimony. In a statement, the 55-year-old Huffman said he regretted how his
9 question was perceived. "I asked a question in an unintentionally awkward way
10 that was perceived as hurtful and was exactly the opposite of what I meant,"
11 the senator said. "I was trying to focus on why COVID-19 affects people of color
12 at a higher rate since we really do not know all the reasons." Democratic Rep.
13 Stephanie Howse, president of the Ohio Legislative Black Caucus, noted that the
14 word "colored" has an offensive history of being associated with segregation and
15 Jim Crow laws. "When we talk about the internalized racism that is deeply
16 ingrained in our institutions and the obstacles Black Americans face in ever
17 achieving meaningful change, this is exactly what we are talking about," Rep.
18 Howse said. "His explicitly racist comment, which invoked deeply troubling
19 sentiments and imagery, is reprehensible, and any Ohio lawmaker who holds
20 such abhorrent views must be held accountable."

1 D. FOX CORPORATION

2 On or about June 8 2020, Fox News host Tucker Carlson reported live and
3 faced intense backlash Monday night after he argued that the nationwide unrest
4 over racism and police brutality sparked by the death of George Floyd "is
5 definitely not about black lives. "Carlson's comments came during a fiery
6 monologue that kicked off his prime-time show Monday, following another day
7 of large demonstrations in the wake of last month's fatal incident in which Floyd,
8 an unarmed black man, died after a white police officer in Minneapolis knelt on
9 his neck for more than eight minutes. For roughly 25 minutes, Carlson criticized
10 the Black Lives Matter movement and growing calls for cities to defund police
11 departments or completely get rid of them. Quoting Tucker, "This may be a lot
12 of things, this moment we're living through, but it is definitely not about black
13 lives," Carlson said. "Remember that when they come for you, and at this rate,
14 they will. "Anyone who has ever been subjected to the rage of the mob knows
15 the feeling," he continued. "It's like being swarmed by hornets. You cannot think
16 clearly. And the temptation is to panic. But you can't panic. You've got to keep
17 your head and tell the truth. ... If you show weakness of any kind, they will
18 crush you."

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23 IV. FOURTEENTH AMENDMENT

24
25 **The Constitution's 14th Amendment** did not refer to black people only
26 citizens. The **14th Amendment** to the U.S. Constitution, ratified in 1868,
27 granted citizenship to all persons born or naturalized in the United States—
28

1 including former slaves—and guaranteed all citizens “equal protection of the
2 laws.” The plaintiffs aver that the use of the term black people deludes to
3 slavery and therefore, violates their rights as American Citizens.
4

5 The nation's answer to the question who is black? has long been that a black is
6 any person with **any** known African black ancestry. This definition reflects the
7 long experience with slavery and later with Jim Crow segregation. In the South
8 it became known as the "one-drop rule," meaning that a single drop of "black
9 blood" makes a person a black. It is also known as the "one black ancestor
10 rule," some courts have called it the "traceable amount rule," and
11 anthropologists call it the "hypo-descent rule," meaning that racially mixed
12 persons are assigned the status of the subordinate group. This definition
13 emerged from the American South to become the nation's definition, generally
14 accepted by whites and blacks. Blacks had no other choice. As we shall see, this
15 American cultural definition of blacks is taken for granted as readily by judges,
16 history scholars, affirmative action officers, and the likes of Black Lives Matter
17 protesters and sympathizers. It was in 1865, on June 19th, that enslaved black
18 people in Texas learned that the Civil War had ended and that they were free,
19 more than two years after the effective date of the Emancipation Proclamation.
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24 A. BLACKS. BLACK PEOPLE, BLACK AMERICANS PROPER
25 PERSON LEGAL STATUS IS AMERICAN CITIZENS

26 The Americans who were given the names Blacks, Black Americans, Black
27 People were protected by some form of government prior to their enslavement.
28

1 Following their emancipation there has not been an established rule of law or
2 government to protect said people in the United States that will provide equal
3 protection under the law. As Blacks, Black Americans, Black People, there is
4 severe prejudice towards said people due to the names that were imposed on
5 said people during the time of slavery. According to the first treaty formed with
6 the newly formed American nation, Morocco established a treaty that reflected
7 protections for North African subjects. See **PEACE AND FRIENDSHIP. Treaty**
8 sealed by the Emperor of **Morocco** June 23, 1786 and delivered to the
9 American agent at **Morocco** June 28, 1786. Morocco and the United States have
10 a long history of friendly relations. This North African nation was one of the first
11 states to seek diplomatic relations with America. In 1777, Sultan Sidi
12 Muhammad Ben Abdullah, the most progressive of the Barbary leaders who
13 ruled Morocco from 1757 to 1790, announced his desire for friendship with the
14 United States. By issuing this declaration, Morocco became one of the first
15 states to acknowledge publicly the independence of the American Republic.
16 The U.S. Government sent its first official communication to the Sultan of
17 Morocco in December 1780 reads:

18 *"We the Congress of the 13 United States of North America, have been informed*
19 *of your Majesty's favorable regard to the interests of the people we represent,*
20 *which has been communicated by Monsieur Etienne d'Audibert Caille of Sale,*
21 *Consul of Foreign nations unrepresented in your Majesty's states. We assure*
22 *you of our earnest desire to cultivate a sincere and firm peace and friendship*
23
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1 *with your Majesty and to make it last to all posterity. Should any of the subjects*
2 *of our states come within the ports of your Majesty's territories, we flatter*
3 *ourselves they will receive the benefit of your protection and benevolence. You*
4 *may assure yourself of every protection and assistance to your subjects from*
5 *the people of these states whenever and wherever they may have it in their*
6 *power. We pray your Majesty may enjoy long life and uninterrupted prosperity."*
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10 **IV. PLAINTIFFS CLAIM I**

11 THE USE OF THE WORDS BLACK PEOPLE, AFRICAN AMERICANS
12 OR BLACK AMERICANS TO DESCRIBE AMERICAN CITIZENS
13 IS SLANDER AND DEFAMATION OF CHARACTER

14 The defendants in all working in concert to continue to defame and slander
15 plaintiffs Character during around the clock news reporting is annoying in nature
16 that cast a negative reflection on plaintiffs' free national status recognized as full
17 American Citizens in the United States. The harm suffered by plaintiffs, ranging
18 from insomnia, to depression and anxiety, made by the defendant's news
19 reporting statements distinguishing Americans from Black Americans, Blacks or
20 African Americans is prejudicial, bias which has taken a toll on plaintiff's mental
21 health, and those harms must be compensable. When defendants use the words
22 Blacks, Black People and Black Americans to describe an American Citizen of
23 olive hue, dark complexion is prejudicial unjust description that deludes to
24 slavery. The irreparable harm done is when non-African descent Americans see
25 plaintiffs as Black People or Blacks and not as true Americans which lead to
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1 racism and prejudicial treatment towards plaintiffs. From the founding of the
2 Nation until 1964, the law of defamation was almost exclusively the business of
3 state courts and legislatures. *Gertz v. Robert Welch Inc.*, 418 U. S. 323, 345
4 (1974). But beginning with *New York Times Co. v. Sullivan*, 376 U. S. 254
5 (1964) the Court "federalized major aspects of libel law by declaring
6 unconstitutional in important respects the prevailing defamation law in all or
7 most of the 50 States. *New York Times* was "the first major step in what proved
8 to be a seemingly irreversible process of constitutionalizing the entire law of
9 libel and slander. The Court promptly expanded the actual malice rule to all
10 defamed "public figures," *Curtis Publishing Co. v. Butts*, 388 U. s. 130, 134
11 (1967), which it defined to include private persons who "thrust themselves to
12 the forefront of particular public controversies in order to influence the
13 resolution of the issues involved.
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19 A. DEFAMATION DEFINED

20 One essential element in the types of defamation claims is that the
21 defendant knowingly or negligently published something defamatory about the
22 plaintiff. A communication may be considered defamatory if it tends so to harm
23 the reputation of another as to lower him in the estimation of the community or
24 expose him to public hatred, contempt, and ridicule or to deter third persons
25 from associating with him. Courts have long struggled with the task of
26 determining a standard for deciding whether a statement is defamatory or
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28

1 has reckless disregard. Many statements may be viewed as defamatory by some
 2 individuals, but the same statement may not be viewed as defamatory by
 3 others. But generally, courts require a plaintiff to prove that he or she has been
 4 defamed in the eyes of the community or within a defined group within the
 5 community. **Examples of defamatory statements are virtually limitless,**
 6 **including statements that:**

- 8 • Suggest involvement in serious crimes involving moral turpitude or a
- 9 felony.
- 10 • Expose a plaintiff to ridicule the he is a descendant of slaves
- 11 • Reflect negatively on the plaintiff's character, morality, or integrity
- 12 • Impair the plaintiff's equal opportunity to financial well-being
- 13 • Suggest that the plaintiff suffers from a health defect that would cause
- 14 others to refrain from associating with the plaintiff

14 In addressing the examples of defamation of plaintiff's character, the
 15 defendants use to describe all persons of dark complexion as Blacks; Black
 16 People; Black Americans is prejudicial when the defendants display dark
 17 complexion people as vandals, thieves breaking into retail shops looting
 18 and setting fires and calling those individuals Black's: Black People or
 19 Black Americans during their public news broadcast covering protestors
 20 against racism. Suggest involvement in serious crimes involving moral
 21 turpitude or a felony. Defendants use of offensive names that delude to
 22 slavery publically exposed plaintiffs to ridicule that he is a descendant of
 23 slaves because of his dark complexion. Not all dark hue complexion
 24 individuals should be called Blacks, Black People or Black Americans. The
 25 defendants all have a habitual practice of labeling all dark complexion

1 Americans as Blacks, Black People or Black Americans which is slander
2 and offensive towards the plaintiffs. The consistent public labeling by the
3 defendants reflect negatively on the plaintiff's character, morality and
4 integrity. The offensive labeling by defendants has resulted in quotas that
5 impairs the plaintiff's equal opportunity to financial well-being as a true
6 first-class American Citizen. The defendants continued reporting during
7 the COVID-19 pandemic that Blacks, Black People and Black Americans
8 are high risk of contracting Coronavirus that causes non dark complexion
9 Americans from associating with plaintiff due to racism based on skin
10 complexion. The defendant's deliberate actions have caused irreparable
11 harm to plaintiffs' character as an American Citizen. Therefore, the
12 defendants are liable for punitive damages, pain and suffering as a result
13 of the PBS News hour public segment June 3rd, 2020 What's behind racial
14 disparities in American policing — and how to solve them. During the
15 segment, PBS reported that:

16 "Americans who say police are more likely to use excessive force
17 against black people" statement separates black people from being
18 Americans. As a result of the prejudicial statement, plaintiff has suffered,
19 impairment to reputation standing in the community, personal humiliation,
20 shame, and disgrace.
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1 B. MADE REFERENCE TO PLAINTIFF

2 In a defamation action, the recipient of a defaming communication must
3 understand that the defendant intended to refer to the plaintiff in the
4 communication. Even where the recipient mistakenly believes that a
5 communication refers to the plaintiff, this belief, so long as it is
6 reasonable. It is not necessary that the communication refer to the
7 plaintiff by name if it is a defamation of character. See offensive
8 references as follows:
9
10

11 For all persons of any known black lineage, however, assimilation is
12 blocked and is not promoted by miscegenation. Barriers to full opportunity
13 and participation for
14 Blacks are still formidable, and a fractionally black person cannot escape
15 these obstacles without passing as white and cutting off all ties to the
16 black family and community.

17 The pain of this separation, and condemnation by the black family and
18 community, are major reasons why many or most of those who could pass
19 as white choose not to. Loss of security within the minority community,
20 and fear and distrust of the white world are also factors. It should now be
21 apparent that the definition of a black person as one with any trace at all
22 black African ancestry is inextricably woven into the history of the United
23 States.

24 It incorporates beliefs once used to justify slavery and later used to
25 buttress the caste like Jim Crow system of segregation. Developed in the
26 South, the definition of "Negro (now black) spread and became the
27 nation's social and legal definition. Because blacks are defined according
28 to the one-drop rule, they are a socially constructed category in which
there is wide variation in racial traits and therefore not a race group in the
scientific sense. However, because that category has a definite status
position in the society it has become a self-conscious social group with an
ethnic identity.

The one-drop rule has long been taken for granted throughout the United
States by whites and blacks alike, and the federal courts have taken
"judicial notice" of it as being a matter of common knowledge. State

1 courts have generally upheld the one-drop rule, but some have limited the
2 definition to one thirty-second or one-sixteenth or one-eighth black
3 ancestry or made other limited exceptions for persons with both Indian
4 and black ancestry. Most Americans seem unaware that this definition of
5 blacks is extremely unusual in other countries, perhaps even unique to the
6 United States, and that Americans define no other minority group in a
7 similar way.

8 IV. PLAINTIFFS CLAIM II

9 THE OFFENSIVE USE OF THE MARKS BLACK PEOPLE,
10 BLACKS OR BLACK AMERICANS IS A PUBLIC NUISANCE
11 DEFAMING THE CHARACTER OF AMERICANS CIVIL RIGHTS
12 VIOLATES THE 14TH AMENDMENT EQUAL PROTECTION CLAUSE

13 The plaintiff contend that the defendants continue use to describe American
14 Citizens as Black People, Blacks, Black Americans or African Americans are
15 unconstitutional nicknames that reflect the plaintiff likeness and others sharing
16 the same likeness are negative descriptions given to slaves by slave holders
17 during the time of slavery. in the 1990s, States began turning to public nuisance
18 theories to target manufacturers, and to hold tobacco companies
19 liable for state Medicaid expenditures on tobacco-related health problems.
20 Gifford, *supra*, at 753; Schwartz & Gold-berg, *supra*, at 554. Over forty States
21 sued tobacco companies seeking Medicaid reimbursement under a variety of
22 legal theories, including public nuisance. National Association of Attorneys
23 General, State Attorneys General Powers and Responsibilities. Also, during the
24 late 1990s and early 2000s, States and municipalities sought to hold firearm
25 manufacturers liable for gun violence by way of public nuisance law. Schwartz
26 & Goldberg, *supra*, at 555–57. But unlike the environmental and asbestos
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28

1 lawsuits, some of the firearm cases were successful in court. At twelfth century
2 English common law, public nuisance was a criminal offense for infringing on the
3 rights of the Crown. Victor E. Schwartz & Phil Gold-berg, *The Law of Public*
4 *Nuisance: Maintaining Rational Boundaries on a Rational Tort*, 45 *Washburn*
5 *L.J.* 541, 543 (2006). The offenses most commonly took the form of
6 purpresture's, or encroachments upon royal lands. Restatement (Second) of
7 Torts § 821B (1979). The attorney general could bring suit for injunctive relief
8 to abate the nuisance by stopping infringement and repairing damage to the
9 King's property. Schwartz & Goldberg, *supra*, at 543. Beginning in the
10 fourteenth century, public nuisance law expanded to include not only the rights
11 of the Crown itself, but also those of the general public, including "the right to
12 safely walk along public highways, to breathe unpolluted air, to be undisturbed
13 by large gatherings of disorderly people and to be free from the spreading of
14 infectious diseases." *Id.* at 543-44 (internal citation omitted). Courts weighed
15 the value of the conduct against the harm it caused to determine whether it
16 merited criminal punishment. *Id.* at 544. And in 1535, nuisance law expanded to
17 allow private damages for individuals who suffered an injury different in kind
18 than that of the general public. *Id.*
19 The
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25 A. DEFINING THE WORD BLACK

26 The so-called Black Americans were originally black people from North Africa
27 who worked as servants and slaves in wealthy European households. The
28

1 negative connotation of the term comes from its historical association with
2 servitude and from the perception that black people were strangely exotic.
3 While African American has not replaced **Black** in common parlance, it works
4 both as a noun and as an adjective. In the United States, there is a complex
5 social history for **words** that **name** or describe the dark-skinned peoples of
6 sub-Saharan Africa and their descendants from the Northern and Southern
7 Shores of Africa relating to moors.
8

9 10 B. PUBLIC NUISANCE

11 A. Legal Responsibility

12
13 A private nuisance is a tort, that is, a civil wrong. To determine accountability
14 for an alleged nuisance, a court will examine three factors: the defendant's
15 fault, whether there has been a substantial interference with the plaintiff's
16 interest, and the reasonableness of the defendant's conduct.
17

18 B. Fault

19 Fault means that the defendant intentionally, negligently, or recklessly
20 interfered with the plaintiff's use and enjoyment of the land or that the
21 defendant continued her conduct after learning of actual harm or substantial risk
22 of future harm to the plaintiff's interest. For example, a defendant who
23 continues to spray chemicals into the air after learning that they are blowing
24 onto the plaintiff's land is deemed to be intending that result. Where it is alleged
25 that a defendant has violated a statute, proving the elements of the statute will
26 establish fault.
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C. Substantial Interference

The law is not intended to remedy trifles or redress petty annoyances. To establish liability under a nuisance theory, interference with the plaintiff's interest must be substantial. Determining substantial interference in cases where the physical condition of the property is affected will often be straightforward. More challenging are those cases predicated on personal inconvenience, discomfort, or annoyance. To determine whether interference is substantial, courts apply the standard of an ordinary member of the community with normal sensitivity and temperament. A plaintiff cannot, by putting his or her land to an unusually sensitive use, make a nuisance out of the defendant's conduct that would otherwise be relatively harmless.

D. Reasonableness of Defendant's Conduct

If the interference with the plaintiff's interest is substantial, a determination must then be made that it is unreasonable for the plaintiff to bear it or to bear it without compensation. This is a **balancing** process weighing the respective interests of both parties. The law recognizes that the activities of others must be accommodated to a certain extent, particularly in matters of industry, commerce, or trade. The nature and gravity of the harm is balanced against the burden of preventing the harm and the usefulness of the conduct.

The following are factors to be considered:

- Extent and duration of the disturbance;

- Nature of the harm;
- Social value of the plaintiff's use of his or her property or other interest;
- Burden to the plaintiff in preventing the harm;
- Value of the defendant's conduct, in general and to the community;
- Motivation of the defendant;
- Feasibility of the defendant's mitigating or preventing the harm;
- Locality and suitability of the uses of the land by both parties.

V. IRREPARABLE DAMAGE TO THE PLAINTIFF

The plaintiff has suffered irreparable harm, confusion, mental anguish, discrimination racism pain and suffering and allusions due to the defendant's negative offensive public news broadcasting identifying the plaintiff and the likes of plaintiffs sharing the same skin complexion of American as Blacks, Black People, Black Person, Black Americans. These labels placed on Americans reflect the plaintiff in a negative way that causes severe racism and prejudice towards the plaintiff, limiting the plaintiffs rights to equality in economic and employment opportunities, access to credit capital markets and affordable housing due to systemic prejudice towards Blacks, Black Americans of which negatively reflect the plaintiffs guaranteed **equal** legal **rights** as an **American** citizens. There are quota systems affirmative action programs in place to provide Blacks, Black Americans or African Americans access to housing, credit markets, access to capital and college admissions. Therefore, there would be no

1 need to grant Blacks, Black Americans, Black People or African Americans with
2 affirmative action quota systems if said people were recognized as Americans.
3

4 5 VI. RELIEF REQUEST

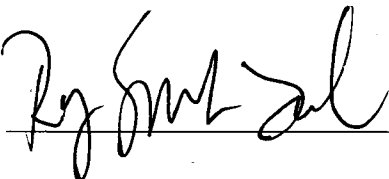
6 The plaintiff hereby, demand that the defendants use of negative stereotype
7 offense marks such as Blacks, Black Americans and Black People to describe
8 Americans during public news broadcasting is harmful activity to free American
9 citizens requiring defendants' activities to cease and pay punitive damages to
10 the plaintiff. That plaintiff avers that the defendant's bad actions and
11 discriminatory practices has caused serious irreparable harm to the plaintiffs'
12 free national status as an American Citizen and not a second-class citizen or
13 slave. The defendants continued to describe American Citizens of a dark
14 complexion as Blacks, Black People, Black Americans during public news
15 broadcasting is public nuisance and a violation of plaintiffs' civil rights. Plaintiff
16 further states that the offensive marks Blacks, Black People and Black
17 Americans are marks that describe slaves during the time of slavery. Plaintiff is
18 currently suffering from mental anguish, experiencing a state of confusion, pain
19 suffering from racial discrimination and prejudice at the same time excluded
20 from the full benefits of the American experience due to racial quotas and
21 affirmative action status that limits inclusion into the full benefits of a free
22 national American Citizen The plaintiff ask that this court order the defendants
23 cease to user the offense marks and titles describing Americans of dark or olive
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1 complexion as Backs, Black People, Black Americans and African Americans
2 during their live news reporting and segments. Plaintiff further states that the
3 court order the defendants refer to people of his likeness (olive hue dark skin
4 complexion) be referred to as American Citizens. Plaintiff further request
5 punitive damages in the amount of \$18,000,000.00 for pain and suffering
6 irreparable damages.
7

8
9
10 CERTIFICATE OF SERVICE

11 I hereby certify on behalf of the plaintiffs, that on June 19th, 2020, I filed the
12 foregoing document with the clerk of court and mailed first class postage pre-
13 paid to all the defendants.
14

15
16 Respectfully submitted on behalf of the plaintiff

17
18 
19

20 Ray Smith Pro se
21 AKA Brother Ray
22 3766 Iroquois
23 Detroit, MI 48214
24 (313) 208-5338
25
26
27
28

1 Defendants

2 FOX CORPORATION
3 1211 AVENUE OF THE AMERICAS
4 NEW YORK NEW YORK 10036

5 CBS CORPORATION
6 51 W 52nd St,
7 New York, NY 10019,

8 NBC UNIVERSAL
9 30 Rockefeller Plaza
10 New York, NY 10112

11 American Broadcasting Company (ABC)
12 77 West 66th Street
13 New York City, NY 10023

14 Public Broadcasting Service (PBS)
15 2100 Crystal Drive
16 Arlington, VA 22202
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CIVIL COVER SHEET

JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

RAY SMITH FORD
BROTHER RAY

(b) County of Residence of First Listed Plaintiff WAYNE
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

NBC UNIVERSAL, FOX CORPORATION, PUBLIC BROADCASTING
SERVICE, AMERICAN BROADCASTING, CBS CORPORATION

County of Residence of First Listed Defendant NEW YORK COUNTY
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
			FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Diversity of Jurisdiction

Brief description of cause:
Defamation and Public Nuisance

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
18,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

June 19th 2020

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: **federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Ray Smith
430 E. Warren #801
Detroit, MI 48201



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